

The Gazette



of India

EXTRAORDINARY

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NEW DELHI, WEDNESDAY, JANUARY 26, 1949

GOVERNMENT OF INDIA
MINISTRY OF LAWNew Delhi, the 26th January, 1949
ORDINANCE No. III of 1949.AN
ORDINANCE .

to invest the Durgah Khawaja Saheb Committee of Inquiry with powers to enforce the attendance of witnesses and generally to compel the production of evidence.

WHEREAS a Committee of Inquiry has been appointed to inquire into and report on the administration of the institution known as the Durgah Khawaja Saheb, Ajmer;

AND WHEREAS an emergency has arisen which makes it necessary to invest the said Committee of Inquiry with powers to enforce the attendance of witnesses and generally to compel the production of evidence;

Now, THEREFORE, in exercise of the powers conferred by section 42 of the Government of India Act, 1935 (26 Geo. 5, c. 2), the Governor-General is pleased to make and promulgate the following Ordinance:—

1. Short title, extent and commencement.—(1) This Ordinance may be called the Durgah Khawaja Saheb Committee of Inquiry Ordinance, 1949.

- (2) It extends to all the Provinces of India.
- (3) It shall come into force at once.

2. Definition.—In this Ordinance, “the Committee of Inquiry” means the Committee appointed under the Resolution of the Government of India in the Ministry of Home Affairs No 55/12/48-Public, dated the 14th day of January, 1949, to inquire into and report on the administration of the institution known as the Durgah Khawaja Saheb, Ajmer.

3. Powers of the Committee of Inquiry.—The Committee of Inquiry shall have all the powers of a civil Court under the Code of Civil Procedure, 1908 (V of 1908), in respect of the following matters, namely:—

- (a) discovery and inspection;
- (b) enforcing the attendance of witnesses;
- (c) compelling the production of documents and impounding the same;
- (d) examining witnesses on oath;
- (e) reception of evidence on affidavits;
- (f) issuing commissions for the examination of witnesses;

and shall be deemed to be a civil Court within the meaning of sections 480 and 482 of the Code of Criminal Procedure, 1898 (V of 1898).

4. Power to enter premises and seize documents.—The Committee of Inquiry may, for the purpose of its inquiry, enter at all reasonable times any premises where in its opinion any document may be found and may either seize such document or take copies thereof.

5. Power to delegate functions.—The Committee of Inquiry may authorise, subject to such limitations or restrictions as it may determine, any person appointed by it in writing in this behalf to exercise any of the powers conferred on the Committee of Inquiry under this Ordinance.

6. Bar of jurisdiction.—No act or proceeding of the Committee of Inquiry shall be called in question in any manner by any Court, and no suit, prosecution or other legal proceeding shall lie against the Central Government, the Committee of Inquiry or any member thereof or any other person in respect of anything which is in good faith done or intended to be done under this Ordinance.

C. RAJAGOPALACHARI,
Governor-General.

ORDINANCE No. IV of 1949

AN

ORDINANCE

to provide for exempting the reduced salary of the Governor-General from taxes on income.

WHEREAS paragraph one of the Third Schedule to the Government of India Act, 1935 (26 Geo. 5, c. 2) provides that there shall be paid to the Governor-General an annual salary of 2,50,800 rupees;

AND WHEREAS the Governor-General and his Council of Ministers have agreed that notwithstanding the above provision, the Governor-General will, with effect from the 1st day of January, 1949, draw salary at a rate not exceeding 5,500 rupees per month and that the reduced salary will be exempt from taxes on income;

AND WHEREAS an emergency has arisen which makes it necessary to provide for exempting from taxes on income the reduced salary of the Governor-General;

Now, THEREFORE, in exercise of the powers conferred by section 42 of the Government of India Act, 1935 (26 Geo. 5, c. 2), the Governor-General is pleased to make and promulgate the following Ordinance:—

1. Short title and commencement.—(1) This Ordinance may be called the Governor-General's Salary (Exemption from Taxation) Ordinance, 1949.

(2) It shall come into force at once.

2. Reduced salary of the Governor-General to be exempt from taxes on income.—Notwithstanding anything contained in the Indian Income-tax Act, 1922 (XI of 1922), or in any other law relating to taxation on income, no income-tax or super-tax shall be payable by the Governor-General in respect of the salary due to him (whether paid or not) for any period for which he draws salary at a rate not exceeding 5,500 rupees per month, and the salary so due (whether paid or not) shall not be included in his total income.

C. RAJAGOPALACHARI,
Governor-General.

K. V. K. SUNDARAM,
Secy. to the Govt. of India.